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July 1, 2002

TNJ &amp; NY BARS ONLY

PATENT

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## UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application for National Phase

Filing in the United States of

Applicant: Jörg Peter Schür

Serial No.: 10/069,476

Examiner:

Filing Date: February 25, 2002

Group Art Unit:

Based upon PCT/EP00/08344

Filed: August 25, 2000

Priority Date: August 25, 1999

For: "PLANT PROTECTION"

Certificate of Mailing By Express Mail Under 37 CFR § 1.10

Number of Express Mail Label:

EV 098135217 US

Date of Deposit with Postal Service:

July 1, 2002

I hereby certify that the document entitled *Applicant's Response To Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)*, the executed *Declaration of Jörg Peter Schür*, a check in the amount of \$65.00 for the surcharge, and a copy of the *Notification of Missing Requirements* are deposited with United States Postal Service EXPRESS MAIL, POST OFFICE TO ADDRESSEE SERVICE under 37 CFR § 1.10 on the date indicated above in an envelope addressed to "Commissioner for Patents, BOX PCT, United States Patent and Trademark Office, Washington, D.C. 20231."

Georgia Peters  
Georgia M. Peters

Authorization To Charge Deposit Account

In the event the check is improper, or a fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, **Account No. 04-1406**. A duplicate copy of this sheet is enclosed for fee-processing, if necessary.

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PTO Registration No. 28, 833

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ATTORNEY DOCKET NO. VON KREIS.021

## UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for National Phase  
Filing in the United States of

Applicant: Jörg Peter Schür

Serial No.: 10/069,476

Filing Date: February 25, 2002

Based on International Application  
No. PCT/EP00/08344

Filed: August 25, 2000

Priority Date: August 25, 1999

For: "PLANT PROTECTION"

Examiner:

Group Art Unit:

**APPLICANT'S RESPONSE  
TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

**I. Introduction**

Applicant files this Response to the "Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US)" dated April 29, 2002. The Notification has a deadline for response of two (2) months, *i.e.*, until June 29, 2002. As June 29, 2002 falls on a Saturday, the filing of this Response on Monday, July 1, 2002, with a Certificate of Mailing by Express Mail Under 37 CFR § 1.10 is timely under 37 CFR § 1.7.

## **II. THE MISSING REQUIREMENTS**

### **A. Th Oath or Declaration of the Inventor**

Applicant submits herewith a "Declaration, Power of Attorney and Power To Inspect," executed by the Inventor, Jörg Peter Schür on May 16, 2002. Attached to the Declaration is a copy of the Specification as filed with the United States Patent and Trademark Office on February 25, 2002. The Declaration is in compliance with 37 CFR 1.497(a) and (b), identifying the Application by the International application number and international filing date as follows:

PCT International Application No. PCT/EP00/08344  
August 25, 2000.

### **B. \$65 Surcharge for providing declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e))**

A check in the amount of \$65.00 (for a Small Entity) is enclosed for the Surcharge for providing the declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)).

As required, Applicant returns herewith a copy of the Notification of Missing Requirements.

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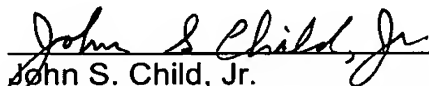
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### III. Conclusion

In response to the Notification of Missing Requirements, Applicant has submitted the executed Declaration of the Inventor to which is attached a copy of the Application as filed on February 25, 2002, a check in the amount of \$65.00 (Small Entity rate) for the fee for providing the Declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e), and a copy of the Notification of Missing Requirements. Applicant's Response is timely. Accordingly, with this Response, Applicant believes that the requirements for acceptance of Application No. 10/069,476 under 35 U.S.C. 371 have been completed.

Respectfully submitted,

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Attorneys for Applicant

  
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